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22 TPG Communications, LLC and Jordan Conradson

23 **pro hac vice*

24 **UNITED STATES DISTRICT COURT**
25 **DISTRICT OF ARIZONA**

26 TGP Communications, LLC, *et al.*,

27 Case No. 2:22-cv-01925-JJT

28 v.
29 Plaintiffs,

30 Jack Sellers, *et al.*,

31 Defendants.

32 **PLAINTIFFS' REPLY IN SUPPORT**
33 **OF MOTION FOR LIMITED EARLY**
34 **DISCOVERY**

35 Plaintiffs TGP Communications, LLC d/b/a The Gateway Pundit and Jordan
36 Conradson file this Reply in support of their motion seeking leave to conduct limited early
37 discovery.

1 To say that the Plaintiffs are surprised by the Government's response would be an
2 understatement. This Motion is about trying to put an end to actions which the parties and
3 the Court should find intolerable. The Defendants *seem* to agree, but seem to prefer to use
4 this motion to take cheap shots at the Plaintiffs. While the parties are expected to be at
5 odds with each other in an adversary system, this should not preclude collaboration when
6 necessary and proper. Plaintiffs are just as disappointed as they are surprised.

7 TGP discovered the problem and was proactive about it. This is relevant to the
8 instant case because, in large part, the Government relies upon biased and dishonest third
9 parties' hearsay allegations about alleged "threats." Clearly, the Government's counsel
10 relied on third party reports, because where the Plaintiffs have actual evidence, they can
11 clearly disprove the claims made by those who appear to have misled the Government's
12 counsel. For example, nobody swears under oath that "Plaintiff Conradson personally
13 scared Secretary of State Katie Hobbs with his aggressive tactics on two reported
14 occasions." *See* Dkt. No. 33 at 2. This is because it would be perjury. Video of the event
15 shows that the Government's counsel was misled.¹ Reporters asking public officials for
16 comment, and public officials giving them nothing but a picture of the back of their head
17 is commonplace in journalism. Sec. Hobbs does not like The Gateway Pundit, so she
18

19 ¹ *See* Jim Hoft, "Why Are You Working So Hard to Shut the Audit Down? What Are
20 You Hiding"—TGP Reporter Confronts AZ Secretary of State Katie Hobbs—Katie Hobbs
Runs! (VIDEO)", THE GATEWAY PUNDIT (May 6, 2021), available at:
<https://www.thegatewaypundit.com/2021/05/working-hard-shut-audit-hiding-tgp-reporter-confronts-az-secretary-state-katie-hobbs-katie-hobbs-runs-video/>; Jordan
21 Conradson, "MUST SEE VIDEO: Arizona Secretary of State Katie Hobbs RUNS From
TGP's Jordan Conradson AGAIN — Won't Answer Questions At Free and Fair Elections
Event", THE GATEWAY PUNDIT (March 23, 2022), available at:
<https://www.thegatewaypundit.com/2022/03/must-see-video-arizona-secretary-state-katie-hobbs-runs-tgps-jordan-conradson-wont-answer-questions-free-fair-elections-event/>.

1 refuses to acknowledge its reporter. That is her right. It is not, however, the same thing as
2 a “threat” or a “danger.” This Court should not be misled by such dishonesty.

3 All of the other claims of “death threats” are supported by nothing more than The
4 Gateway Pundit’s competition, Reuters, dutifully reprinting press releases issued by people
5 who either dislike TGP, or think they are going to get rich suing TGP. This is not
6 “journalism,” and it is not “seeking the truth.” Yet, the Government relies on it as if it were
7 a proven fact, and unfortunately, this Court gave this some credit already. This was wrong,
8 and this Court should not give these unfounded and untested claims any credit. Not a single
9 one of these “threats” was investigated by a single reporter seeking to get to the truth – they
10 simply wished to discredit TGP.

11 Meanwhile, the only threats that are actually in the record are those that TGP found,
12 and that TGP is trying to investigate. Will that investigation exonerate TGP from this
13 accusation? TGP can not guarantee that one way or the other – but TGP is doing what
14 Reuters never sought to do – actually get to the truth of the matter, no matter where that
15 trail may lead – even if it leads somewhere that is not to TGP’s advantage.

16 The Government is correct that the threats related to this Motion occurred post-
17 hearing. That does not make them irrelevant. Were they the same bad actors who issued
18 threats in the past? We don’t know. Were they new bad actors? Were they sent by the
19 Defendants themselves, or their agents, to discredit TGP? TGP ranks the probability of
20 that as very low, but it is at least *possible*. Were they sent by an errant employee of the
21 undersigned’s law firm? Even that might be possible. It would be mortifying and that
22 person would be fired immediately, but we simply do not know. We need to know.

23 With respect to the alleged threats against Mr. Liddy, if they truly exist: They were
24 brought to TGP’s attention by law enforcement, in conjunction with conversations with
25

1 Mr. Liddy (as a response to TGP trying to meet and confer on this motion). TGP was told
2 these threats are on TGP's comment section,² and then when TGP asked where they could
3 be found, so they could be deleted, everyone went silent. Why? Either someone is not being
4 entirely forthcoming, or someone wants this kind of material to remain in the comments
5 section, unable to be found.

6 The government argues "the supposition that the comment disclosing Judge Tuchi's
7 address, and the threats made against Mr. Liddy were merely attempts to discredit The
8 Gateway Pundit in light of their present litigation against the County is pure speculation."
9 Of course it is! It is just as speculative as assuming that the supposed threats came from
10 TGP supporters – and this Court relied on *that* speculation to deny TGP important
11 Constitutional relief. Why should TGP not be permitted to rely on suspicion to at least
12 engage in discovery, to find out who these terrible people are, and why are they doing these
13 terrible things? Why isn't the response a resounding "let's go get 'em!"?

14 This Court should permit the Plaintiffs to gather this information – and quickly,
15 before the information expires. The longer the wait, the more likely it will be that these
16 wrongdoers can cover their tracks.

17 With respect to the Government's request that if the relief is granted, the information
18 be turned over to Defendants' counsel and law enforcement – Plaintiffs are not against that.
19 Had the Defense counsel agreed to meet and confer about this motion, rather than ignoring
20 requests to do so, this may have been in the request for relief.

21 With respect to gaining clearance from law enforcement before contacting the
22 individuals, the Plaintiffs tried multiple times to obtain law enforcement's position on this
23 motion as well, but they simply ignored each and every request for their position.
24

25 2 See Exhibit 1, email from U.S. Marshals.

1 Accordingly, the Court should not agree that law enforcement should be permitted to stop
2 TGP from reaching out to these individuals to interrogate them on their motivations for
3 their awful actions. TGP will, however, gladly turn their information over to law
4 enforcement, whether these individuals claim to be friend or foe – TGP does not tolerate
5 this conduct. *See Jim Hoft, “Friendly Reminder: The Gateway Pundit Is a ‘Zero Tolerance*
6 *for Threats’ Zone,” THE GATEWAY PUNDIT (December 6, 2022), Dkt. No. 30-2.*

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Dated: December 13, 2022.

Respectfully submitted,

9 /s/ Marc J. Randazza

10 Marc J. Randazza, #027861

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Jordan Conradson

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**pro hac vice*

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2 **CERTIFICATE OF SERVICE**

3 I HEREBY CERTIFY that on December 13, 2022, I electronically filed the
4 foregoing document with the Clerk of the Court using CM/ECF. I further certify that a true
5 and correct copy of the foregoing document being served via transmission of Notices of
6 Electronic Filing generated by CM/ECF.

7
8 /s/ Marc J. Randazza
9 MARC J. RANDAZZA
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